



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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NR 115 Listening Session Basic Comment Sheet

Summary of Comments

Listening sessions were an opportunity for the public to review and comment on the draft proposals generated together by the Advisory Committee and the Department. Listening sessions were added as an additional step in the traditional rule revision process because the Department recognizes this issue needs special consideration and debate in an open, informative, honest and participatory forum.

Over 850 people attended eight listening sessions that were held around Wisconsin. Comments were accepted on prepared comment sheets, as oral comments at the listening sessions, and as written letters. Comments were accepted until December 31, 2003. Over 1000 comments were submitted regarding the NR 115 Advisory Committee recommendations. To be considered as a comment, the respondent was only required to provide their name.

The 278 comments received on the NR 115 Listening Session Basic Comment Sheet are summarized below. The sources of the comment sheets are:

- 2 from the Crivitz listening session;
- 5 from the Eau Claire listening session;
- 5 from the Grand Chute listening session;
- 10 from the Lake Tomahawk listening session;
- 1 from the Madison listening session;
- 4 from the Onalaska listening session;
- 24 from the Spooner listening session;
- 4 from the Waukesha listening session; and
- 211 were mailed, e-mailed or faxed.

When completing the Comment Sheet, a respondent could select “yes” or “no”. If a respondent selected neither choice, “no opinion” was used. In some instances, respondents indicated a “no” selection for both options, because the respondent felt both options were either “too weak” or “too strong”.

I. SHORELAND BUFFERS

Buffer Depth Options

Do you, in general, support:

Option A: 50-foot primary buffer + 25 foot secondary buffer = 75-foot OHWM setback

	Yes	No	No Opinion
Total	34 %	36 %	31 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	60 %	20 %	20 %
Lake Tomahawk	50 %	20 %	30 %
Madison	100 %	0 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	56 %	32 %	12 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	27 %	37 %	36 %

Option B: 35-foot primary buffer + 40 foot secondary buffer = 75-foot OHWM setback

	Yes	No	No Opinion
Total	60 %	29 %	12 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	40 %	20 %	40 %
Lake Tomahawk	60 %	30 %	10 %
Madison	0 %	100 %	0 %
Onalaska	0 %	100 %	0 %
Spooner	41 %	47 %	12 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	66 %	24 %	9 %

Viewing Access Corridor (VAC) Options

Do you, in general, support:

Option A: VAC = 30% of water frontage, not to exceed 30 feet wide

	Yes	No	No Opinion
Total	64 %	28 %	8 %
Crivitz	100 %	0 %	0 %
Eau Claire	80 %	0 %	20 %
Grand Chute	40 %	40 %	20 %
Lake Tomahawk	50 %	20 %	30 %
Madison	100 %	0 %	0 %
Onalaska	0 %	100 %	0 %
Spooner	76 %	24 %	0 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	65 %	27 %	8 %

Option B: VAC = 30% of water frontage, not to exceed 50 feet wide

	Yes	No	No Opinion
Total	26 %	39 %	35 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	40 %	60 %
Grand Chute	40 %	20 %	40 %
Lake Tomahawk	50 %	40 %	10 %
Madison	0 %	100 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	18 %	59 %	24 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	26 %	36 %	38 %

Comments on Shoreland Buffers?

Not only do the buffers provide a protection from runoff, they provide habitat and visual screening.

- Adam Yates, Ashland, WI.

Buffers are so important for wildlife and for water quality.

- Barb Schieffer, Florence, WI.

1 - OHWM on the Mississippi needs to be defined as the normal pool stage.

2 - It is not possible to return a primary buffer to natural vegetation.

3 - Given the limited number of structures, a viewing corridor is not needed.

- Barbara Hammes, Onalaska, WI.

Yes answers most closely approximate current requirements thus avoiding appreciable/noticeable differences.

- Bob Braun, Oshkosh, WI.

Natural vegetation to maintain the health of riparian areas.

- Bob Olsgard, Sarona, WI.

1. It is unclear what selective removal means. Does it include invasive species?

2. This appears to conflict with setback section, by definition, you can't have an unnatural path to the shoreline.

3. If something like a water-quality pond is required, how does that affect the VAC if it needs to be in that area?

- Bruce Lasko, Waterford, WI.

I maintain larger buffers and smaller VACs on both of my lakeshore properties.

- Bruce Markgren, Rice Lake, WI.

Maximize shoreland buffers to minimize runoff and provide for habitat protection. If buffer falls short, additional mitigation must be required.

- Carole Wakefield, Madison, WI.

This is for me one of the most critical issues. I support the wider buffer because it provides more habitat for wildlife, healthy flora, and better lake aesthetics.

- Catherine Marshall, Three Lakes, WI.

Shoreland buffer restoration is important, but may not be protective enough. Runoff can easily overcome ability of buffers to attenuate pollutants or travel through viewing/access corridor. Runoff management and limits on impervious surfaces should be required.

- Cheryl Bursik, Amery, WI.

The more natural vegetation and trees, the better for long-term enjoyment of lakes.

- Chip Wiggins, Sayner, WI.

35' buffer needs to be enforced. VAC needs to be flexible and vegetation in the VAC should be addressed.
- *Chuck Hill, Three Lakes, WI.*

Minimize tree cutting.
- *Chuck Petersen.*

1. OHWM on the Mississippi needs to be defined as the normal pool stage.
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 3. Given the limited number of structures, a viewing corridor is not needed.
- *Connie Doerre, La Crosse, WI.*

Mitigation should be required when conforming structures replace nonconforming. Shoreland buffers are vital in the maintenance of quality on lakes and also rivers and streams. Rivers and streams are also habitat corridors, and should have greater depth of buffer. New buffer regulations will increase workloads for zoning and LCD staff.
- *Craig Conroy, Webster, WI*

VAC-Option B: not to exceed 50 feet wide per 100 feet of shoreline. With West Nile and Lime Disease, this is trying to legislate a public health problem.
- *Cynthia Kerr, Hastings, MN.*

They should be the same for all lakes.
- *Dan Nordall, Gleason, WI.*

The more protection of the public trust, the better.
- *Daniel Hauptert, Catawba, WI.*

Grass (as in form of mowed, fertilized, and cultivated "lawn") should not be allowed in the primary buffer. Only native vegetation that preserves and restores the water quality should be allowed in the primary buffer. I think "lawn" should not be allowed in either the primary or secondary buffers.
- *Dorothy Pyle, Three Lakes, WI.*

New construction should require maximum restriction of 50' primary buffer. When dealing with nonconforming existing structures, a less restrictive rule should include flexibility.
- *Dr. Roger Heineck, Neillsville, WI.*

Proper shoring to protect from erosion
- *Dwayne A. Potter, Chetek, WI.*

For buffer depths, both options A and B are okay. Need to define clearcutting vs. selective cutting within the buffer zone. Can owner clear understory vegetation?
- *Eric Wellaner.*

Entire 75-foot should be a primary buffer.
- *Ernest Martinson, Hayward, WI.*

1. OHWM on the Mississippi needs to be defined as the normal pool stage.
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 3. Given the limited number of structures, a viewing corridor is not needed.
- *Frank J. Janewski, Winona, MN.*

Minimize lawns/Maximize buffers.
- *Fred Kruger, Spooner, WI.*

New lots - 50 foot primary buffer, existing lots - 35 foot primary buffer.
- *Gerard Drossort, Green Bay, WI.*

VAC-Option A; not to exceed 30 feet wide in any 100 feet.
- *Harry Schroeder, LaCrosse, WI.*

Don't allow clear cutting trimming, where all trees across lot are limbed up 20 feet outside VAC. They should be just that, a buffer area, if you allow structures such as retaining walls, which should not be exempted from a definition of structure, you are defeating the purpose of a natural shoreline.

- *James C. Miller, St. Croix Falls, WI.*

Strongly agree that 35' buffer needs to be enforced. VAC - 30% of standard 100' lot is basically 30', need flexibility of option B.

- *Janet and Louis Frase, New Auburn, WI.*

Our setback is not 75 feet, but it is in better shape than people who mow or clear to lake.

- *Jean Sundseth.*

In general, however the preferred buffer should be developed based on consideration of slope, soils, vegetative cover, and sensitivity of the water body to disturbance from land-based activities.

- *Jeffrey A. Thornton, Waukesha, WI.*

No chemicals or lawn treatments should be allowed within that buffer.

- *Jerilyn Bitney, Shell Lake, WI.*

If a developer buys woodland shoreline it should be restricted. Above does not cover existing property. How enforced?

- *Jerry R. Schulz, West Allis, WI.*

1 - OHWM on the Mississippi needs to be defined as the normal pool stage.

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- *Jim Jenkins.*

Very concerned about enforcement of buffers, VAC. What about existing property owners who violate primary buffers, VAC?

- *Jim Mulleady, Eagle River, WI.*

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- *Joel VonHaden, Trempealeau, WI.*

Setbacks should take into consideration the type of shore front ie rock bluff, sand, clay, bluff, etc.

- *John E. Brogan, Green Bay, WI.*

Should be "no limit".

- *John L. Koeller, Shawano, WI.*

Who is in charge of ones property. The person that purchased it or the government that may let you use it.

- *John Pfeifer, Green Bay, WI.*

Option B is best of two, but concept is dumb. Attempting to make one rule for every property on a lake in the state is silly. Let property owners decide for themselves!

- *Joseph S. Bernstein, Brookfield, WI.*

Allowing expansion in primary and secondary buffer hinges on this critical decision.

- *Kay Scharpf, Eagle River, WI.*

These choices are still too lenient. I propose a minimum of 200' setback for all dwellings - this is based on recommendations from Army Corps of Engineers and others. Wildlife needs room to move through lake-front corridor - 75' is not enough for shy wildlife such as bobcat, etc. We are in effect declaring that these lakes are for people (and selected wildlife) only. All others stay out. I also think 200' would be better for water filtering.

- *Ken Damro, Florence, WI.*

People will clear land small parts at a time anyway.

- *Kevin Buntin & Michelle Kalies, Mountain, WI.*

Need strong rules in these areas.

- *Kim Zambon, Rhineland, WI.*

Trees die - blow over - should not have to be replaced. Most people preserve trees.
- *L.T. Plouff, Green Bay, WI.*

Under Secondary Buffer, "Removal of trees and shrubs allowed". Should add the following to the end ". . . With a plan governed by consideration of the effect on water quality and sound forestry and soil conservation practices".
- *Lance Gurney, Baraboo, WI.*

Who will enforce? "Native vegetation" is not defined. Lake classification should apply.
- *Larry Karlson, Amery, WI.*

Do not allow building "expansion" within the buffer zones.
- *Laura Capen.*

I support the most protective buffers possible - as wide as possible and with as few as disruptive activities possible. Favor 35-feet only if 50-feet is not feasible.
- *Laura England, Madison, WI.*

Breed mosquitos and wood ticks. (west nile virus, lymes disease, (I had it twice already)
- *Marion Obzarny, Webster, WI.*

Is it really necessary to insist on the shoreline to be over grown with weeds, grass, etc.? Our children like to consider the shoreline a beach - no fertilizer requirement is ok.
- *Marshall W. Nelson, Edina, MN.*

They are important to preserve habitat and water quality. Don't eliminate them and don't build in them!!
- *Martin Ketterer, Eagle River, WI.*

Any new construction permit should mandate mitigation of shoreland buffer zone.
- *Mary Platner, St. Germain, WI.*

Buffer zones provide critical habitat while protecting water quality. VAC should be exempt from restoration.
- *Michael Furtak, Iron River, WI.*

In favor of buffers, however, why can "new" buildings (ex, ald "Green Gables" restaurant/motel area) now have new residence very, very close to water line? What happened to buffer area there? House to left when viewed from the lake (Okauchee) is example of this close to water.
- *Mrs. Ken Mueller, Oconomowoc, WI.*

1 - OHWM on the Mississippi needs to be defined as the normal pool stage.
2 - It is not possible to return a primary buffer to natural vegetation.
3 - Given the limited number of structures, a viewing corridor is not needed.
- *Neil McHugh, LaCrosse, WI.*

Shoreland buffers are not required.
- *Otto J. Roselt, Iron River, WI.*

We need to keep shorelines as natural as possible. Education is key here and DNR must provide specific helps along w/ county.
- *Patricia J. Popple, Chippewa Falls, WI.*

35' should accomplish most goals. We should encourage wider lots and reward that w/ wider viewing corridors.
- *Patrick M. Kelly, New Auburn, WI.*

A reasonable set back from the highwater mark (HWM) is appropriate as currently exists. Sideyard and rearyard setbacks should be regulated by the local municipality. Viewing access corridors (VAC) options should be determined by the property owner subject to the actual shoreline issues at the HWM.
- *Philip J. Hilgenberg, Green Bay, WI.*

Option A - 40 foot secondary buffer
- *R. Korth, Gresham, WI.*

Stringent regulations that can and will be enforced.
- *Ray and Pat Andress, Chippewa Falls, WI.*

Given the tendency for people to purposely or inadvertently violate, the buffers and VAC should be as easy to interpret and monitor as possible.

- *Rick Remington, Menominee, WI.*

VACs are unsightly and unnatural in appearance. They also contribute substantially to runoff. Why not look at a "filtered view" concept. This concept which reduces runoff and people on or across the lake we reside on can barely see our home!

- *Robert and Barbara Estabrook, Rhinelander, WI.*

My personal preference would be 40' primary and 35' secondary.

- *Robert Wilson, Appleton, WI.*

Buffers are what we need!

- *Sandy Anderson.*

The importance of a shoreland buffer can not be discounted. The minimum of 35' is barely sufficient.

- *Sarah R. Boles, Cable, WI.*

My enjoyment of lakes is increased when I see them semi-wild and native, instead of groomed and disturbed by men.

- *Stan Smoniewski, Lake Mills, WI.*

Make it stronger - the environment, lake frontage damage is done.

- *Susan Barakat.*

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- *Thomas Dourre, LaCrosse, WI.*

No buffer zones. 100% lake view option. Restrictions like above significantly reduce property values!

- *W. B. Milbrath, Jr., Pewaukee, WI.*

Our house (1929) on bluff is far less than 35'. Only because it is less. We have less than 30% at cottage and I like it that way from MY standpoint not the public passing the property on water by their PWcraft vehicles.

- *Warren Davis, Lake Bluff, IL.*

Lots vary - slope, plants, landscaping, etc. My 40-foot setback may be better than those farther back.

- *Warren Sundseth.*

We need stronger protections in a time of growing resource pressure.

- *Will Fantle, Eau Claire, WI.*

At least 50 feet - protecting water quality is paramount.

- *Will Stites, Stevens Point, WI.*

II. ORDINARY HIGH WATER MARK (OHWM) SETBACKS

Boathouse Options

Do you, in general, support:

Option A: Boathouses must be set back 75 feet from the OHWM.

	Yes	No	No Opinion
Total	41 %	27 %	32 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	20 %	40 %	40 %
Lake Tomahawk	60 %	20 %	20 %
Madison	100 %	0 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	76 %	21 %	3 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	26 %	39 %	35 %

Option B: Boathouses may be permitted in shoreland setback area (within 75 feet of the OHWM).

	Yes	No	No Opinion
Total	55 %	34 %	11 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	80 %	0 %	20 %
Lake Tomahawk	30 %	70 %	0 %
Madison	0 %	100 %	0 %
Onalaska	75 %	25 %	0 %
Spooner	26 %	53 %	21 %
Waukesha	100 %	0 %	0 %
Mailed/E-mailed/Faxed	61 %	31 %	8 %

Comments on ordinary high water mark (OHWM) setbacks?

It should be no more than 75 feet. All counties in the state should adopt the same 75 foot set-back rule. It is not fair if counties can set a rule that is more stringent.

- A. Glenn Lemmenes, Brookfield, WI.

What good is a boathouse setback 75' from OHWM? Commonsense says they need to be at water's edge.

- Al Lamers, Kimberly, WI.

OHWM-Option B: boathouses may be permitted in shoreland setback area "but not new buildings."

When allowing handicap accessible facilities, etc, need to include definitions and sizes of allowable facilities and definition of handicap.

Many lots are steep and elderly can't make it down. Folks also will use this to get to lake with ATV.

- Amy Dechamps.

People may store gasoline and other chemicals in the their boathouses which could be detrimental to waterbodies if it spills.

- Barb Schieffer, Florence, WI.

Boathouses are water oriented. If kept out of 75' area, use and location issues from permitting standpoint are exacerbated (are 75' ramps now also required?)

- Bob Braun, Oshkosh, WI.

Setbacks are determined and enforced for water quality and the ecological health of the riparian zone.

- *Bob Olsgard, Sarona, WI.*

1. How is the owner supposed to get their boat into the boathouse if its not near the shore?

2. You should reclassify structures - in the public's eye, benches, canoes, etc. are not viewed as structures.

- *Bruce Lasko, Waterford, WI.*

I would be supportive of a rule allowing a small storage shed within the setback area - probably less than 100 s.f. - not large enough for a boat.

- *Bruce Markgren, Rice Lake, WI.*

Setback at least 75'. If already exists less than 75', then ok to have but additional mitigation must be required and enforced.

- *Carole Wakefield, Madison, WI.*

"Equity approach" likely to result in severe encroachment of shoreline buffer areas. Should not allow new building in vegetation protection area or where VPA would be reduced to <35 feet due to setback and allowed 15-foot maintenance area.

- *Cheryl Bursik, Amery, WI.*

There is no need for boathouses on the shoreline. They are an imposition to the rights and privileges of the public.

- *Chuck Hill, Three Lakes, WI.*

How can this be called a boathouse?

- *Chuck Petersen.*

Some water bodies that are vulnerable to damage should have setbacks of more than 75 feet - rivers and streams should be at least 125 feet. Some lakes should be 100 feet or more.

- *Craig Conroy, Webster, WI.*

The more protection of the public trust, the better.

- *Daniel Hauptert, Catawba, WI.*

Boathouses should be allowed, up to a given square foot size that would still make the unit useful.

- *Darin Moravitz, Comstock, WI.*

The OHWM is a very illusive and ambiguous location on a land locked seepage lake. It should not be the HIHEB (highest it has ever seen). This is a constant source of irritation. A VERY SPECIFIC criteria should be established.

- *David L. Boldon, Sr., Webb Lake, WI.*

Impossible for layman to understand, and therefore comply with. The ambiguous definition and application/placement of the OHWM.

- *Dorothy Pyle, Three Lakes, WI.*

I see no problem with boathouses right on the shore (on the water). Keep it clean and no chemicals on construction process.

Gives a good feeling of the past. I would encourage inspections for compliance of no chemicals.

- *Dwayne A. Potter, Chetek, WI.*

All structures beyond 75-foot OHWM!

- *Eric Wellaner.*

Shoreland within the setback should probably be public since the water is.

- *Ernest Martinson, Hayward, WI.*

Minimize building of any kind n first 75 feet - work to remove all within 40 feet now existing.

- *Fred Kruger, Spooner, WI.*

Present boathouses should be allowed to stay and repaired. No new boathouses allowed in 75-foot setback.

- *Fred Radtke, St. Germain, WI.*

The farther back from high water mark the better.

- *Gail Archambault, Wascott, WI.*

Yes, new, undecided.

- *Gene Ackland, Webster, WI.*

Boathouses should not be allowed in setback area. More than 75 feet would make the boathouse impractical.

- *Gerald Sundstrom, Durand, WI.*

I think it's ridiculous to say they (boathouses) have to be setback that far. It's the same in my mind as disallowing them for the majority of property owners.

- *Gerard Drossort, Green Bay, WI.*

Huge loophole now, abused all over northern 1/2 of state. Don't let it continue.

- *J. Welter.*

Keep all structures out, including retaining walls.

- *James C. Miller, St. Croix Falls, WI.*

My boathouse was build a long time ago, probably in the 1930's. Since I purchased the property in 1969, I have maintained the buiding. It is especially important to us because it stands to the north and west of the primary building and so protects us from the strong winter northwest gales. It also contributes significantly to the total value of our property.

- *James M. Roberts, Sturgeon Bay, WI.*

Applicable to new boathouses. Old boathouses should be included in mitigation points.

- *Janet and Louis Frase, New Auburn, WI.*

We must protect water quality and fish and wildlife habitat!

- *Janet Eckstein, Rhinelander, WI.*

Not sure - we certainly do have enough boathouses on the lake now.

- *Jean Keuer, Minocqua, WI.*

50, 190, 200 years?

- *Jean Sundseth.*

Boathouses should be governed by local ordinance - some historic structures not only had value for boat storage but also formed attractive shoreline edifies. The OHWM does form a useful basis for making setback determinations in most cases - however in some mill ponds/dams may have less well-defined surface elevations.

- *Jeffrey A. Thornton, Waukesha, WI.*

Oil/fuel spillage is a concern.

- *Jerilyn Bitney, Shell Lake, WI.*

Existing boathouses should be encouraged to be maintained - many have "historic" value.

- *Jerry Lyons, Waupaca, WI.*

What good is a boathouse 75' away from the water - call it garage.

- *Jerry R. Schulz, West Allis, WI.*

Setback has worked for years. Courts have upheld OHWM. Good thing.

- *Jim Flanigan, Siren, WI.*

How can you call a boathouse a boathouse if it's setback 75 feet?? Doesn't boathouse mean storage for boats? Lakefront owners needs some type of structure to store things - leave the boathouse as is - 5-foot or 7-foot setback from water.

- *Jim Meyer, Sayner, WI.*

All existing structures should be grandfathered. Should be able to repair.

- *John E. Hirth, Princeton, WI.*

I question whether a dry boathouse at the shoreline has less of an environmental impact than a wet boathouse over the water.

With a wet boathouse you don't have to do anything to the land. A boathouse 75' back is a garage.

- *John L. Hanson, Manitowish Waters, WI.*

You have to be kidding.

- *John Pfeifer, Green Bay, WI.*

All lakes have boat landings. Boats should be stored in a garage.

- *Kay Scharpf, Eagle River, WI.*

There should be no new boathouses - maintenance and reconstruction could be permitted, but earth-tone colors used & eco-friendly materials/paints, etc. mandated.

- *Ken Darmo, Florence, WI.*

A boathouse at 75' back is not a boathouse!

- *Kevin Buntin & Michelle Kalies, Mountain, WI.*

It is disappointing that NR 115 revisions cannot address the open-sided structure exception. This is self-serving legislation that will leave non-removable, nonconforming structures long after John Grand is out of office. Sawyer County requires mitigation for "gard gazebos", but on-going enforcement to assure continued mitigation is impossible.

- *Kitty Taylor, Hayward, WI.*

Who determines OHWM? On Green Bay water levels have gone down 4 - 5 ft. Shoreline has moved 50 - 100 ft in Ephraim. How do you decide OHWM. Water may not be back for 30+ years.

- *L.T. Plouff, Green Bay, WI.*

Option B permitted as a conditional use with minimum setback (5'), max slopes (less than or equal to 20%) and provisions to mitigate primary buffer.

Point number two for proposal reads as follows: "Small structures that are easily moved by hand (add: which include but are not limited to), such as (strike out) picnic tables, lawn chairs, bird baths and canoes, that are moved out of the shoreland setback area for the winter."

Also still believe that boathouses should be permitted as a conditional use with provisions to mitigate primary buffer areas.

- *Lance Gurney, Baraboo, WI.*

Boathouse back 10' - sized to hold 24' pontoon, max. hgt. 12 - 15'.

- *Larry Karlson, Amery, WI.*

I support rules that do not allow any encroachments within OHWM setback.

- *Laura England, Madison, WI.*

I have a boathouse installed in 1930. I understand your desire to keep the shoreline free of new boathouses but we should be able to maintain the few that are in now. In fact maintain them or remove them is logical.

- *Marshall W. Nelson, Edina, MN.*

No boathouses.

- *Mary Motis, Gordon, WI.*

Favor steps 2 and 3: Some reasonable flexibility of prior platted lot.

- *Mary Platner, St. Germain, WI.*

No structures except Gard Gazebo reg. within 75'.

- *Mary Witt, Hayward, WI.*

No 2 people agree on how OHWM can be measured.

- *Michael A. Goodrie, Webb Lake, WI.*

No new structures in shoreland setback area.

- *Michael Furtak, Iron River, WI.*

Boat houses where already existing should be allowed to exist as they are with "Grandfather clause".

- *Mrs. Ken Mueller, Oconomowoc, WI.*

OHWM on what class lakes? The nature of the lake (inlets/outlets) needs to be taken into consideration. We try to put rules to large and small lakes alike. Other consideration must be written into the rules/proposals.

- *Patricia J. Popple, Chippewa Falls, WI.*

I'm a riparian in Chippewa County w/ a working boathouse. My boat would be in a garage somewhere on the lot anyway. This way I winch it up the tracks. What part of freedom, civil liberties, and private property am I missing.

- *Patrick M. Kelly, New Auburn, WI.*

A 75' setback requirement for boathouses is overly restrictive yet some restrictions are appropriate such as size limits, width of approach to the water, etc.

- *Philip J. Hilgenberg, Green Bay, WI.*

Past due requirements

- *Ray and Pat Andress, Chippewa Falls, WI.*

No structures should be allowed within the 75' buffer.

- *Rick Remington, Menominee, WI.*

These setbacks should still be tailored to the lakes classification standards.

- *Sarah R. Boles, Cable, WI.*

Boathouses are not that necessary and are a tremendous disruption to native shorelines. Some areas are just continuous rows of boathouses.

- *Stan Smoniewski, Lake Mills, WI.*

It's good to use the OHWM.

- *Susan Barakat.*

No boat houses! Small storage buildings not to exceed 150 square feet should be allowed within the primary buffer, but not closer than 35 feet from the OHWM.

- *Susan R. Wallin, Webb Lake, WI.*

Boathouses both single and two story should be allowed at OHWM.

- *W. B. Milbrath, Jr., Pewaukee, WI.*

This is ridiculous - boathouses are next to or near water OHWM. During high water this OHWM hinders prop. owners easily getting protection of property. We have 2 piles of rocks.

- *Warren Davis, Lake Bluff, IL.*

50-year, 100-year, 200-year?

- *Warren Sundseth.*

III. Nonconforming Structures

Minimum Size to be Eligible for Expansion Options

Do you, in general, support:

Option A: To expand, the principal structure must be at least 750 square feet or meet the minimum housing size area required by the county in general zoning.

	Yes	No	No Opinion
Total	40 %	30 %	30 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	40 %	40 %	20 %
Lake Tomahawk	40 %	30 %	30 %
Madison	100 %	0 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	68 %	26 %	6 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	34 %	30 %	36 %

Option B: There is no minimum size required for a principal structure to be expanded.

	Yes	No	No Opinion
Total	58 %	32 %	11 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	60 %	0 %	40 %
Lake Tomahawk	50 %	40 %	10 %
Madison	0 %	100 %	0 %
Onalaska	75 %	25 %	0 %
Spooner	29 %	50 %	21 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	64 %	29 %	7 %

Total Size of Structure Options

Do you, in general, support:

Option A: Additions to a principal structure in the secondary buffer shall not expand the structure beyond a habitable living area of 1,500 square feet.

	Yes	No	No Opinion
Total	35 %	35 %	30 %
Crivitz	100 %	0 %	0 %
Eau Claire	80 %	20 %	0 %
Grand Chute	40 %	20 %	40 %
Lake Tomahawk	40 %	30 %	30 %
Madison	0 %	100 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	68 %	29 %	3 %
Waukesha	0 %	75 %	25 %

Mailed/E-mailed/Faxed	29 %	35 %	36 %
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Option B: Additions to a principal structure in the secondary buffer shall not enlarge the footprint of the structure beyond 1,500 square feet and the habitable living area shall not exceed 2,500 square feet.

	Yes	No	No Opinion
Total	58 %	31 %	11 %
Crivitz	0 %	100 %	0 %
Eau Claire	20 %	0 %	80 %
Grand Chute	60 %	20 %	20 %
Lake Tomahawk	60 %	30 %	10 %
Madison	100 %	0 %	0 %
Onalaska	100 %	0 %	0 %
Spooner	29 %	50 %	21 %
Waukesha	50 %	25 %	25 %
Mailed/E-mailed/Faxed	63 %	29 %	8 %

Rule When Structures are in more than One Buffer Zone Options

Do you, in general, support:

Option A: When a structure straddles zones, the structure will be subject to the more restrictive provisions.

	Yes	No	No Opinion
Total	41 %	30 %	29 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	20 %	40 %	40 %
Lake Tomahawk	50 %	30 %	20 %
Madison	100 %	0 %	0 %
Onalaska	25 %	75 %	0 %
Spooner	68 %	26 %	6 %
Waukesha	0 %	100 %	0 %
Mailed/E-mailed/Faxed	36 %	29 %	35 %

Option B: When a structure straddles zones, the regulations of the zone where the modification is proposed shall prevail.

	Yes	No	No Opinion
Total	57 %	33 %	11 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	80 %	0 %	20 %
Lake Tomahawk	60 %	40 %	0 %
Madison	0 %	100 %	0 %
Onalaska	75 %	25 %	0 %
Spooner	32 %	53 %	15 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	61 %	30 %	9 %

Definition of “Major Reconstruction” Options

Do you, in general, support:

Option A: Reconstruction or replacement of 25% or more of the structural components of a building or 50% or more of the linear perimeter of the structure.

	Yes	No	No Opinion
Total	35 %	33 %	32 %
Crivitz	100 %	0 %	0 %
Eau Claire	80 %	20 %	0 %
Grand Chute	20 %	20 %	60 %
Lake Tomahawk	50 %	20 %	30 %
Madison	0 %	0 %	100 %
Onalaska	25 %	75 %	0 %
Spooner	62 %	35 %	3 %
Waukesha	25 %	50 %	25 %
Mailed/E-mailed/Faxed	29 %	33 %	38 %

Option B: The removal and replacement of all, or virtually all, of the structural components of a structure with the exception of the foundation.

	Yes	No	No Opinion
Total	60 %	29 %	11 %
Crivitz	0 %	100 %	0 %
Eau Claire	20 %	0 %	80 %
Grand Chute	80 %	0 %	20 %
Lake Tomahawk	50 %	50 %	0 %
Madison	0 %	0 %	100 %
Onalaska	75 %	25 %	0 %
Spooner	29 %	47 %	24 %
Waukesha	100 %	0 %	0 %
Mailed/E-mailed/Faxed	66 %	26 %	8 %

Comments on Nonconforming Structures?

It is better to improve a non-conforming structure than to allow/require a run-down structure to be kept in a run-down condition.

- A. Glenn Lemmenes, Brookfield, WI.

In order to maintain affordable water front property, smaller cottage type properties should be allowed. Better inspection policies can insure better kept and maintained properties. Overall size restrictions will be self governing by the impervious surface provisions.

- Al Lamers, Kimberly, WI.

Should not be built in buffer zones. If need to be rebuilt, have to follow current laws that restrict building in all buffer zones. No grandfather clause - too hard for zoning to enforce once one neighbor has built in a buffer zones - others don't want to be restricted. Lots of education needed to help people understand why buffer zones and habitat are so important to wildlife and water quality.

Major reconstruction within current foundation limits - if no impact to water quality, use silt fence. Keep trees on buffer. If it doesn't impact waterway or isn't in buffer zone or in OHWM; have to mitigate by planting buffer zones.

- Barb Schieffer, Florence, WI.

Both are more difficult than current rule. As a permitting agency the proposal puts us in the position of "counting studs and rafters". "B" is totally subjective. Keep the current rule - it is workable and understandable!

- Bob Braun, Oshkosh, WI.

I feel strongly that these structures should have nearly limitless repair/replacement options available to them, including foundation repair. Specifically, I own a "wet" boathouse that is historically recognized by Villas County, but am unable to replace 3 pilings (out of 36) because of its paltry assessed value. The restrictions limiting repair, and the inability to lift the structure off its "footprint" to access the pilings and stringers underneath. If I were to remove the four walls and keep only the roof and flooring, the DNR would allow me to repair/replace at will. It doesn't make sense. The current regulations are forcing these "wet" boathouses to fall into disarray, at the same time that they are handing out permit after permit to place permanent docks and boat lifts onto the lakebed. Why not insist that owners of these historic boathouses maintain their structures and inspect them? I would gladly pay for a 2 year permit and be required/allowed to return my boathouse to its original splendor.

- Brad Haudstad, Pleasant Prairie, WI.

Stop further development, period.

- Bryan D. Woolever, Deerfield, WI.

If you allow people to replace the entire structure it can be built to be more friendly to environment. Also - if older structures are allowed to remodel they will also update their septic systems. Our neighbor on Archibald Lake had a septic system installed in the 1950s. Two years ago when he had problems he had a friend dig it up - they removed tree roots and covered it up again. It's about 25 feet from the lake - does it drain directly into the lake - yes. I'm sure if you look around any lake and see cottages that have not done any outside remodeling since they were built in the 50s and 60s - at least half of them have a septic system that the county has no record of. I think it's time the DNR and counties take a look at rural properties that have no record of a septic system and find out what those people are doing with their sewage.

- Carol Fager, Townsend, WI.

I am concerned and wary of the "major reconstruction". I am concerned about the possibility of replacement w/ a much larger and grandiose "castle". Does option B mean that you can only build to the size of the existing foundation?

- Carole Hansen, Harshaw, WI.

For existing and newly constructed structures, vegetation must be established and there must be a means of determining and monitoring area maintenance for at least 5 years (as approved).

- Carole Wakefield, Madison, WI.

NCS Straddle-Option A: setback is where structure is closest to the lake.
NCS Straddle-Option B: doesn't make sense.
Define "limited repair and replacement of existing structural components". Expansion not landward; "limited expansion" should not be toward the water. Structure definition should include retaining walls and pavement.

- Cheryl Bursik, Amery, WI.

In general, the selected options encourage the moving of existing structures out of the 75' setback area.

- Chuck Hill, Three Lakes, WI.

Some boathouses have been left to rot due to current restrictions.

- Chuck Petersen.

Size of Structure - Option B: new second story? Would usually be intrusive.
Major Reconstruction - Option A: too hard to enforce.
Nonconforming principle structures should be allowed to be rebuilt. It is arguable that they should not be expanded at all. Some structures are simply too close to be expanded. What is poorly understood is that, in the absence of a rule (50%, total square footage, etc.), no expansion is allowed.

- Craig Conroy, Webster, WI.

The more protection of the public trust, the better.

- Daniel Hauptert, Catawba, WI.

The size of the structure should have no bearing on the amount of remodeling, replacement, or structural repairs that one can do, as long as it meets all setbacks and current zoning regulations for that particular lot, or which a variance would provide.

- Darin Moravitz, Comstock, WI.

If part of structure is conforming (beyond 75') additions or expansion to it ok - not on part which is nonconforming.

- David Hoffman, Stoddard, WI.

Citizens should be allowed to maintain and repair the structures on their property.

- Doug Wheaton, Racine, WI.

The issue of nonconforming structures is one that requires great flexibility in judging each situation. Local or county authority should have discretionary power to issue permits or variances in accordance with their findings without fear of violating state statutes or suit by the DNR. I would prefer language that is simple and states that a nonconforming structure could be expanded or remodeled if it does not become more nonconforming than the original structure.

- *Dr. Roger Heineck, Neillsville, WI.*

Structures are owned, land is owned, let them do with it what they will. Put burden of lake pollution and preservation on property owners, not government.

- *Dwayne A. Potter, Chetek, WI.*

Nonconforming structures should be removed after a set time or life time of owner. Nonconforming use could also be forfeited if contingent upon replacement or major repairs.

- *Ernest Martinson, Hayward, WI.*

This is the major issue.

- *Francis H. Ogden, River Falls, WI.*

If reconstruction can be done beyond the 75-foot setback, move back. If it can't the total reconstruction should be allowed as far back as possible.

- *Fred Radtke, St. Germain, WI.*

Replacement should be allowed over the life of the structure only.

- *Gail Archambault, Wascott, WI.*

Nonconforming structures have been allowed to be built after the current shoreland zoning regulations were enacted. How can we justifiably say it is ok to build, but then deny the right to repair. When repairs are necessary, it's normally more than 25% of the components that need replacing. If it was allowed to be built, all necessary repairs or replacements should be allowed.

- *Gene Ackland, Webster, WI.*

I think reconstruction should focus on footprint - square footage exclusively. Beyond that, it should be the property owners' decision.

- *Gerard Drossart, Green Bay, WI.*

Minimum size-Option A: the principal structure must be at least 500 square feet.

- *Harry Schroeder, LaCrosse, WI.*

No expansion in secondary buffer at all. Remove nonconforming structures and move them back!

- *James C. Miller, St. Croix Falls, WI.*

When our property was purchased, it was with the understanding (supported by the realtor and by local opinion) that changes requirements would take into consideration the fact that existing structures would be exempt or "grandfathered". It seems that these "grandfathered" rights no longer are considered. How can any state propose the limitations outlined in the NR 115 Listening Session Comment Sheet without allowing local communities to consider state guidelines and apply them to unique characteristics of each location? You are seemingly threatening us with new regulations which could cost us thousands of dollars to conform. In the 35 years we have owned this property no one has objected to the fact that the buildings are where they are. Throughout the years we have been allowed to pay taxes on the property. This whole concept of changing the laws for existing buildings looks a lot like condemnation without the state having to pay the cost of the court procedures of due process of law.

- *James M. Roberts, Sturgeon Bay, WI.*

Total size - if the structure is in the secondary buffer, it should be moderate in size. Rule for straddling buffer zones - I assume this to be a structure where at least part is within 35' of OHWM. Needs to be defined better. Major reconstruction option - support neither because one is too lenient, but 25% structural is too harsh and affects a huge number of existing structures. Creative thinking needed here. Major repairs to existing, nonconforming structure should be tied to the amount of impervious surface within 100 feet of OHWM of the lot. 1. Use a sliding percentage of impervious surfaces so that those in the primary buffer count more than those in secondary buffer, and less for those beyond 75 feet. 2. Use mitigation to allow owner to remove impervious surfaces such as a boathouses, shed, blacktop, concrete, etc. with buffer zones - thus allowing greater repair to existing living structures. 3. Establish a maximum % of impervious surface that is tied to lot size - especially the waterfront footage.

- *Janet and Louis Frase, New Auburn, WI.*

Slowly move nonconforming structures back to 75'.

- *Janet Eckstein, Rhinelander, WI.*

Legal nonconforming structures represent a legal artifact. Often their existence represents a change in the law rather than a consideration of position or nature of the structure itself. That said, it is a legal true-ism that nonconforming structures are to be replaced overtime by conforming structures. To allow expansion/repair [in the sense of reconstruction/replacement] does not follow - maintenance should be allowed/encouraged. Replacement should only be with a conforming alternative. Consideration of incentives might be useful.

- *Jeffrey A. Thornton, Waukesha, WI.*

Many people wish to retire to "the lake" and may not be able to if too restrictive. (for expansion limits).

- *Jerilyn Bitney, Shell Lake, WI.*

Total size options are both too restrictive. Nonconforming structures now existing should be "grandfathered" and be allowed to be maintained and improved or replaced if destroyed by fire or storm.

- *Jerry Lyons, Waupaca, WI.*

The above regulations should be set by the government and property owners with a review or appeal board option.

- *Jerry R. Schulz, West Allis, WI.*

The question is does allowing the replacement of a nonconforming structure in the same footprint have as much environmental impact than allowing a 5 or 10,000 sf structure at the 75' mark.

- *John L. Hanson, Manitowish Waters, WI.*

Shall be permitted.

- *John L. Koeller, Shawano, WI.*

What happens if there is no foundation?

- *John Pfeifer, Green Bay, WI.*

I have concerns if the secondary buffer zone extends to 35 ft. from the shoreline. Expansion from 50 feet from the water is close enough.

- *Kay Scharpf, Eagle River, WI.*

Replacing an old energy inefficient home with one more efficient would be acceptable. Should be laws on earth-tones and eco-friendly building, keeping homes small is important for many reasons including runoff. We cannot rely on our county's to make such laws - this has been proven.

- *Ken Damro, Florence, WI.*

Don't allow creation of new structures within 75-foot OHWM (i.e. "gard gazebos").

- *Kitty Taylor, Hayward, WI.*

Proposed regulations are too restrictive. Local village and county regulations are often too restrictive and arbitrary.

- *L.T. Plouff, Green Bay, WI.*

Major reconstruction Option A: This would be preferred, but have several issues to address yet, including: 1) should say "whichever is less" at end of provision, 2) is this accumulative or during life of structure, 3) 25% of structural components? Does this mean we need to count rafters, joists, etc. How will this be enforced? Need to come up with something better that is more clear and concise and enforceable.

What is meant by "limited repair and maintenance"? Can someone define this?

Expansion of nonconforming structures should follow same sort of criteria as Section VII, Step 3. Should be a list of procedures for BOA to consider when granting conditional use/special exception.

Patios and decks - decks are viewed as structures, patios are not if they are the same as ground elevations.

- *Lance Gurney, Baraboo, WI.*

In general, the VHBA favors the proposal stating "additions to a principal structure in the secondary buffer shall not enlarge the footprint of the structure beyond 1,500 s.f. and the habitable living area shall not exceed 2,500 s.f." However, the Association recommends the maximum structural footprint enlargement be changed to 2,000 s.f. and the maximum habitable living area be changed to 3,000 s.f.

- *Lynn Raether, Appleton, WI.*

"Major reconstruction" is more than 50%, but less than the "virtually all." "Reconstruction" should be less than 50%. "Major reconstruction" should be more than 50%, but less than all - I suggest 2 different definitions.

- *Mark Benkowski, Mukwonago, WI.*

Keep reconstruction of these to minimum, don't allow 3000 s.f. to be added to a 400 s.f. building.

- *Martin Ketterer, Eagle River, WI.*

More restrictions on enlarging.

- *Mary Motis, Gordon, WI.*

Need vertical (height) limit - 26' is my suggestion.

- *Mary Witt, Hayward, WI.*

I feel the problem is one of enlargement, not repair or major reconstruction. No change in footprint and square footage should be viewed more favorably than expansion.

- *Michael D. Moen, Wausau, WI.*

Expansion of a nonconforming structure should be limited to 50% of the existing square footage of the structure's footprint to encourage relocation of said structure to meet required setback from OHWM.

- *Michael Furtak, Iron River, WI.*

Nonconforming structures should be "grandfathered" into any subsequent changes in rules. Most nonconforming structures, were placed there by previous owners of the property. Therefore, current owners of the property should not be penalized for conditions they personally did not create.

- *Mrs. Ken Mueller, Oconomowoc, WI.*

Remove in future.

- *O.E. Moldt, Appleton, WI.*

Variations must be allowed! I own 2 lots (one w/ cabin) and with all the rules, I'm wondering if there will ever be a way for me to develop that property with a comfortable cabin I can use! I am an "environmental" person and wish to care for all that surrounds me, but too many restrictions for the current owner of 36 years does not make sense.

- *Patricia J. Popple, Chippewa Falls, WI.*

Ease up on nonconforming structures. They were legally built at the time. It's an issue of fitness. Society's need cannot be balanced on the back's of individuals.

- *Patrick M. Kelly, New Auburn, WI.*

NCS Option A - at least 900 square feet.

- *R. Korth, Gresham, WI.*

Unworthy, unsightly nonconforming structures should require removal with no replacement.

- *Ray and Pat Andress, Chippewa Falls, WI.*

2-story homes are more visible and less desirable. The 25% and 50% rules are too difficult to administer.

- *Robert Wilson, Appleton, WI.*

Must continue to move old, nonconforming structures back to 75' mark.

- *Ronald Eckstein, Rhinelander, WI.*

What about the maximum before expansion? If there is no foundation (on block) this should still pertain to the "footprint".

- *Sarah R. Boles, Cable, WI.*

Depends how bad should be handled on one on one basis.

- *Scott Schultz.*

Everything should be moved back beyond the 75-foot setback. If the lot lacks this ability, they should be kept simple and primitive. There should be no averaging and grandfathered structures should eventually be moved back.

- *Stan Smoniewski, Lake Mills, WI.*

I own a nonconforming structure. I believe I should be able to keep it up and maintain it in the size it is. I believe it will be more valuable in the future.

- *Susan Barakat.*

Expansion and Size of Structure - No expansion outside of footprint.

Buffer Zone - Only when straddling the 75-foot setback.

Major Reconstruction - As long as it stays in the original footprint.

- *Tom Melnarik, Rhineland, WI.*

No limits, such as these (expansion limits), preserve or upgrade structures ok. No zones (buffer). Complete structure restoration, or remodel, or replacement/upgrade ok.

- *W. B. Milbrath, Jr., Pewaukee, WI.*

A cottage built in 1929 did not require the same comforts as today's dwellings - expansion is sometimes necessary to upgrade a property in kitchens, bathrooms & etc. Even for resale purposes.

- *Warren Davis, Lake Bluff, IL.*

I support the idea of persons being able to keep their nonconforming structures in the best condition possible. I disagree with the 50% rules now in effect.

- *William Rathman, Elkhart Lake, WI.*

IV. MINIMUM LOT SIZE - SINGLE FAMILY HOMES, DUPLEXES AND COMMERCIAL DEVELOPMENT

Minimum Size for New Lots Options

Do you, in general, support:

Option A: All lots shall have a minimum area of 20,000 square feet and a minimum lot width of 100 feet.

	Yes	No	No Opinion
Total	43 %	26 %	31 %
Crivitz	50 %	50 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	60 %	0 %	40 %
Lake Tomahawk	70 %	10 %	20 %
Madison	0 %	0 %	100 %
Onalaska	0 %	0 %	100 %
Spooner	79 %	21 %	0 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	36 %	28 %	36 %

Option B: Lots served by public sanitary sewers shall have a minimum area of 10,000 square feet and a minimum lot width of 65 feet. Lots not served by public sanitary sewers shall have a minimum area of 20,000 square feet and a minimum lot width of 100 feet.

	Yes	No	No Opinion
Total	54 %	33 %	13 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	60 %	20 %	20 %
Lake Tomahawk	40 %	50 %	10 %
Madison	0 %	0 %	100 %
Onalaska	25 %	0 %	75 %
Spooner	21 %	59 %	21 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	62 %	29 %	9 %

Minimum Buildable Area Options

Do you, in general, support:

Option A: At the time of platting or subdivision, lots shall have at least 5,000 square feet of land that is not wetland or floodway.

	Yes	No	No Opinion
Total	49 %	21 %	30 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	60 %	20 %	20 %
Lake Tomahawk	60 %	10 %	30 %
Madison	100 %	0 %	0 %
Onalaska	25 %	0 %	75 %

Spooner	76 %	21 %	3 %
Waukesha	0 %	75 %	25 %
Mailed/E-mailed/Faxed	43 %	22 %	35 %

Option B: No buildable area limit.

	Yes	No	No Opinion
Total	46 %	36 %	18 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	40 %	20 %	40 %
Lake Tomahawk	30 %	70 %	0 %
Madison	0 %	0 %	100 %
Onalaska	0 %	0 %	100 %
Spooner	21 %	44 %	35 %
Waukesha	75 %	0 %	25 %
Mailed/E-mailed/Faxed	53 %	35 %	12 %

Comments on Minimum Lot Sizes?

I would support an increase of minimum lot size to over 100 feet. The current minimum of 100 feet still produces housing densities that have proven negative effects on shoreland creatures.

- Adam Yates, Ashland, WI.

I support minimum lot sizes only where new lots are being sub-divided. Existing lots should be grandfathered.

- Al Lamers, Kimberly, WI.

The lower density, the better.

- Barb Schieffer, Florence, WI.

It is absolutely necessary to have minimum lot sizes.

- Bob Olsgard, Sarona, WI.

In many cases, lots at the periphery of a lake are pie-shaped - expanding outward. A 100' minimum width seems unreasonable - the 100' should be measured at the edge of the secondary buffer.

- Bruce Lasko, Waterford, WI.

More than 5,000 s.f. would be better - 100x50 is not a large enough lot.

- Carole Hansen, Harshaw, WI.

Option B is ridiculous.

- Catherine Marshall, Three Lakes, WI.

Need larger lots 30,000 s.f. for un-sewered lots.

- Charles C. Druckrey, Coleman, WI.

Private sewer systems will not offset increased runoff from more dense development. Some existing lots should probably not be buildable. How about a transfer (sale) of a portion of a development right to another lot? Result - not building on substandard lots; owner gets money for portion and "buildable" is transferred to another lot.

- Cheryl Bursik, Amery, WI.

Option B (sewered/unsewered minimum lot sizes) encourages extension of sewer system.

- Chuck Hill, Three Lakes, WI.

Existing structures on the Mississippi that are served by public sanitary sewers should not have a minimum lot size or frontage.

- Connie Doerre, LaCrosse, WI.

Counties should be enabled to have larger lot sizes that are supported by water body classification systems.

- *Craig Conroy, Webster, WI.*

I think some limit (minimum buildable area) may be in order, but the proposed 5000 s.f. seems a bit large.

- *Dale Pohjola.*

The more protection of the public trust, the better.

- *Daniel Haupt, Catawba, WI.*

Minimum lot sizes should be larger.

- *Dave Ferris.*

I would recommend a minimum lot larger than 5,000 s.f. - 7500 s.f. minimum (75' width).

- *Dr. Roger Heineck, Neillsville, WI.*

They want to build on a flood zone, let them. Lots to be sizable as not to take away the woods and beauty of shoreland.

- *Dwayne A. Potter, Chetek, WI.*

Lake class standards!

- *Eric Wellaner.*

No development on shoreland lots - that should be a minimum requirement.

- *Ernest Martinson, Hayward, WI.*

If this rule is enforced, the expected variances, exceptions, and simple cheating will not produce catastrophic results.

- *Eugene Pomerance, Elmhurst, IL.*

Do not allow side by side building on our lakes - spread them out and move them back to enhance shoreline beauty and provide buffer area.

- *Fred Kruger, Spooner, WI.*

My lot is only 50' wide and I agree with runoff concerns for new lots. Eventually I'll probably but a lot having to meet these new requirements.

- *Gerard Drossart, Green Bay, WI.*

All lots shall have a minimum area of 40,000 s.f. One acre, or better, of lot size should dictate size of structure.

- *James C. Miller, St. Croix Falls, WI.*

How many waterfront properties in Wisconsin will be affected? Is the State going to pickup the cost of changes required to the rules and regulations?

- *James M. Roberts, Sturgeon Bay, WI.*

Favor clustering and establishment of communal natural areas near water.

- *Janet and Louis Frase, New Auburn, WI.*

One caution however is that minimum area requirements frequently encourage sprawl - more area cleared than necessary and "cookie cutter" developments. Provision is necessary for PUDs or conservation development.

- *Jeffrey A. Thornton, Waukesha, WI.*

More people in small area is damaging, no matter what type of septic is used.

- *Jerilyn Bitney, Shell Lake, WI.*

Depends on lake size (minimum lot size).

- *Jerry R. Schulz, West Allis, WI.*

Lots of 100 ft. width are too small - not big enough for today's dwellings and utilities. Must allow communities to regulate their own lot sizes.

- *Jim Flanigan, Siren, WI.*

We already have 150-foot minimums and 1.5 acre minimums.

- *Jim Mulleady, Eagle River, WI.*

Existing structures on the Mississippi that are served by public sanitary sewers should not have a minimum lot size or frontage.

- Joel VonHaden, Trempealeau, WI.

Minimum lot sizes in new developments should apply to the entire state.

- John L. Hanson, Manitowish Waters, WI.

Michigan once (or perhaps still) has a law that all new subdivisions should minimum of 10 acres - including waterfront lots. Lots could be smaller but permanent dwellings should not be built on those lots. I would support this kind of law.

- Ken Damro, Florence, WI.

100 ft frontage on water x? If septic system fits and home fits (not in flood or wetland), ok to build.

- Kevin Buntin & Michelle Kalies, Mountain, WI.

No new construction in buffer zones should be allowed even if lot size is very small.

- Kitty Taylor, Hayward, WI.

Lots should be large in areas being platted or developed.

- L.T. Plouff, Green Bay, WI.

Buildable A: Partially accomplished by way of Comm 83 with primary and replacement areas.

- Lance Gurney, Baraboo, WI.

Keep buildings away from wetlands. Smaller lots if sewered.

- Laura Capen.

I support the largest feasible minimum lot sizes.

- Laura England, Madison, WI.

I believe 5000 s.f. too small. That could be 70 x 70 prox., even 100 x 100 is small for country living in my mind.

- Marshall W. Nelson, Edina, MN.

Need to conform to lake classifications.

- Mary Posetti.

It's important that current landowners be allowed some flexibility in lot size. If they can't do anything because of lot size there's no value in holding that piece of land or any value in selling it.

- Patricia J. Popple, Chippewa Falls, WI.

100' lots are too small. Besides a riparian, I'm also a developer. I like larger lots.

- Patrick M. Kelly, New Auburn, WI.

The local municipality should determine lot size requirements.

- Philip J. Hilgenberg, Green Bay, WI.

Lot Size Option A - minimum lot width of 150 feet.

Buildable Area Option A - at least 6,000 square feet.

- R. Korth, Gresham, WI.

More consideration to importance of wetland areas.

- Ray and Pat Andress, Chippewa Falls, WI.

Even with public sanitation, there are still numerous impacts to the water resources which are adverse. A min. width of 65' with a 30' VAC does not provide adequate natural shoreline to sustain health of lake.

- Rick Remington, Menominee, WI.

Ideally the minimum square footage not wetland or floodway would be 10,000 rather than 5,000.

- Robert and Barbara Estabrook, Rhinelander, WI.

It's good to give credit to sewered areas. How about the setback area (for minimum buildable area)? That's not buildable either.

- Robert Wilson, Appleton, WI.

Keep lake classification standards.

- Sarah R. Boles, Cable, WI.

Minimum 250 ft lakeshore is my preference.

- *Susan Barakat.*

Existing structures on the Mississippi that are served by public sanitary sewers should not have a minimum lot size or frontage.

- *Thomas Dourre, LaCrosse, WI.*

No minimum lot sizes for existing lots.

- *W. B. Milbrath, Jr., Pewaukee, WI.*

Would like to see width increased to 150' to 200'.

- *Willa Schmidt, Madison, WI.*

IX. IMPERVIOUS SURFACE PROVISIONS

Impervious Surface Options:

Do you, in general, support:

Option A: Impervious surfaces within shorelands may not exceed 2,500 square feet or 20% of the lot area, whichever is less, unless the property owner implements best management practices (BMPs) designed to control post-construction runoff.

	Yes	No	No Opinion
Total	51 %	21 %	28 %
Crivitz	100 %	0 %	0 %
Eau Claire	80 %	0 %	20 %
Grand Chute	40 %	40 %	20 %
Lake Tomahawk	50 %	20 %	30 %
Madison	100 %	0 %	0 %
Onalaska	100 %	0 %	0 %
Spooner	79 %	21 %	0 %
Waukesha	25 %	50 %	25 %
Mailed/E-mailed/Faxed	45 %	21 %	34 %

Option B: No limit on impervious surfaces.

	Yes	No	No Opinion
Total	44 %	42 %	14 %
Crivitz	0 %	100 %	0 %
Eau Claire	0 %	20 %	80 %
Grand Chute	60 %	0 %	40 %
Lake Tomahawk	40 %	50 %	10 %
Madison	0 %	100 %	0 %
Onalaska	0 %	100 %	0 %
Spooner	18 %	62 %	21 %
Waukesha	25 %	50 %	25 %
Mailed/E-mailed/Faxed	50 %	39 %	11 %

Comments on Impervious Surface Provisions?

Buffers are important, but if there is too much impervious surface on a property, then the buffer may not be able to handle the increased runoff.

- Adam Yates, Ashland, WI.

I would support a modified "option a" with a percentage of 30% or 3000 s.f.

- Al Lamers, Kimberly, WI.

Regardless of soil type, all lots should require buffer by volume of water runoff may still create runoff/erosion before infiltration.

- Amy Dechamps.

No impervious surface near waterway is best!

- Barb Schieffer, Florence, WI.

Homeowner and builder need a provision to encourage and maintain more than 80% permeable surface.

- Bob Olsgard, Saron, WI.

Lakeside homes tend to be expansive homes and can have a footprint of over 2500 s.f. alone not including driveways, etc.

- Bruce Lasko, Waterford, WI.

This rule should specifically be exempt for public accesses.

- *Bruce Markgren, Rice Lake, WI.*

Minimize runoff.

- *Carole Wakefield, Madison, WI.*

If we are serious about protecting our lakes and streams, there must be some regulation of runoff.

- *Catherine Marshall, Three Lakes, WI.*

Impervious surface limits should extend the entire area of the shoreland zone. *This provision is critical.* Impervious surfaces should not be allowed in the vegetation protection area. If provision is not included, structure must include pavement.

- *Cheryl Bursik, Amery, WI.*

Delete BMPs and just 2500 s.f. or 20% of lot.

- *Connie Towski.*

They are difficult to assess unless topographic mapping at a two foot contour interval is available.

- *Craig Conroy, Webster, WI.*

This should be assessed on a case by case basis. Terrain, etc. may require some limits.

- *Dale Pohjola.*

The more protection of the public trust, the better.

- *Daniel Haupert, Catawba, WI.*

I believe there does need to be a limit, but greater than Option A.

- *Darin Moravitz, Comstock, WI.*

This is very important for water quality - there must be a hard surface limit.

- *Dave Ferris.*

Option A is a good and fair solution, if the definition is unambiguous.

- *David L. Boldon, Sr., Webb Lake, WI.*

This provision should extend beyond shoreline if there is erosion possible due to slope.

- *Diane Kraemer.*

No limit on impervious surfaces would greatly increase pollution of waterways. Developers would run rampant!

- *Dorothy Pyle, Three Lakes, WI.*

Again, their land and improvements, put preservation and contamination on the property owner's shoulders, not government's.

- *Dwayne A. Potter, Chetek, WI.*

Enforcement?

- *Eric Wellaner.*

Impervious surfaces on shorelands should be allocated by nature and not man.

- *Ernest Martinson, Hayward, WI.*

There is way too much runoff into our lakes. Sediments and fertilizer easily makes its way into our lakes.

- *Fred Kruger, Spooner, WI.*

No permanent structures (decks, storage sheds, roofed shelters, etc.) should be allowed in campgrounds.

- *Gail Archambault, Wascott, WI.*

On Shawano Lake, many properties currently don't meet this requirement. I agree with this limitation on new lots, but not on existing lots.

- *Gerard Drossort, Green Bay, WI.*

Impervious surfaces within shorelands may not exceed 15% of lot area within 300 feet of the OHWM.

- *Harry Schroeder, LaCrosse, WI.*

This should be tied to size of lot, so lot can mitigate runoff.

- *James C. Miller, St. Croix Falls, WI.*

Cannot continue to have no limit on impervious surfaces. You need a cut-off in this provision - i.e. impervious surfaces beyond 150' -200' don't count in the allowance.

- *Janet and Louis Frase, New Auburn, WI.*

The opportunity for mitigation is commendable. The 2,500 s.f. standard may not be reasonable given a 4,000 s.f. value calculated from the 20% of the 20,000 s.f. minimum lot size....

- *Jeffrey A. Thornton, Waukesha, WI.*

Chemicals/fuels can run off or leach into soil.

- *Jerilyn Bitney, Shell Lake, WI.*

Owners should have options to control runoff not just limitations on impervious surface.

- *Jerry Lyons, Waupaca, WI.*

Lots are long & narrow - 2500 s.f. is squat for long narrow lots.

- *Jim Meyer, Sayner, WI.*

One other consideration should be if the lot at some point slopes away from the lake should there be another provision allowing more square footage.

- *John L. Hanson, Manitowish Waters, WI.*

Still too lenient! Maybe should be 5% - no option to expand for any reason - they already have a big roof!

- *Ken Damro, Florence, WI.*

In Jan., all the property is impervious - how much water will "soil" take up?

- *Larry Karlson, Amery, WI.*

Minnesota has problems with developments and impervious surfaces. So much area was made impervious in Cottage Grove, MN that many areas flooded in non-flood zones.

- *Laura Capen.*

I support the smallest maximum impervious area % that is feasible.

- *Laura England, Madison, WI.*

"Lot area" is too broad - a very large lot should not have limits like option A - I propose to have 2 different examples - large and small lot ratios.

- *Mark Benkowski, Mukwonago, WI.*

A driveway to the lake (already existing in 1981- purchase date) was constantly wash dirt into lake. Now black-topped and no more mud wash. I guess I could sort of vote for option a.

- *Marshall W. Nelson, Edina, MN.*

These also need to be kept to a minimum.

- *Martin Ketterer, Eagle River, WI.*

Large dwellings and more impervious surface cause more problems than small. I would like to see even a smaller % impervious.

- *Michael D. Moen, Wausau, WI.*

Impervious surface area could be increased if a storm water management plan is in place to adequately handle increased runoff.

- *Michael Furtak, Iron River, WI.*

BMPs should be encouraged; people need to be "educated" as much as possible about these options.

- *Patricia J. Popple, Chippewa Falls, WI.*

Limiting impervious surfaces goes a bit too far. Unless you gave credits for BMPs...

- *Patrick M. Kelly, New Auburn, WI.*

The initial development should be designed to address runoff issues. Existing sites or lots should be subjected to local municipal regulations, not those established by the DNR.

- *Philip J. Hilgenberg, Green Bay, WI.*

Option A may not exceed 2,000 square feet or 15% of the lot area.

- *R. Korth, Gresham, WI.*

Support Option A; however storm water management is a critical issue.

- *Ray and Pat Andress, Chippewa Falls, WI.*

Should not exceed 2,500 s.f. period, even with implementation of BMPs.

- *Rick Remington, Menominee, WI.*

Who did the math here? 2500 s.f. barely covers the roof area of a new lakefront home, much less garage, boathouse, guest house, decks, walks, driveways, etc.

- *Robert and Barbara Estabrook, Rhinelander, WI.*

Good option requiring BMPs.

- *Robert Wilson, Appleton, WI.*

I don't understand if impervious surface includes the house/garage etc. or just blacktop, concrete etc. There should be a limit even with BMPs.

- *Sarah R. Boles, Cable, WI.*

For Option A, should only apply to structures 75 feet back. Closer units should more stringent requirements.

- *Stan Smoniewski, Lake Mills, WI.*

No impervious surfaces near lakes!

- *Susan Barakat.*

Should have containment ponds or rainfall gardens.

- *Susan R. Wallin, Webb Lake, WI.*

Option A (impervious surface limit) - new development only - would kill development.

- *Thomas W. Macco, Menasha, WI.*

Don't know - nor have ever heard of BMP more rules and regulations?

- *Warren Davis, Lake Bluff, IL.*

Very important to controlling runoff and maintaining/protecting water quality.

- *Will Fantle, Eau Claire, WI.*

XIII. RECREATIONAL AREAS INCLUDING CAMPGROUNDS, PUBLIC ACCESS SITES AND MARINAS

Limits on Camping Unit Stay Options:

Do you, in general, support:

Option A: Camping units are limited to a maximum 30 day stay.

	Yes	No	No Opinion
Total	42 %	16 %	42 %
Crivitz	100 %	0 %	0 %
Eau Claire	100 %	0 %	0 %
Grand Chute	40 %	40 %	20 %
Lake Tomahawk	50 %	30 %	20 %
Madison	100 %	0 %	0 %
Onalaska	25 %	0 %	75 %
Spooner	65 %	6 %	29 %
Waukesha	0 %	0 %	100 %
Mailed/E-mailed/Faxed	37 %	18 %	45 %

Option B: Camping units are limited to a maximum 90 day stay.

	Yes	No	No Opinion
Total	6 %	5 %	89 %
Crivitz	0 %	0 %	100 %
Eau Claire	0 %	0 %	100 %
Grand Chute	0 %	0 %	100 %
Lake Tomahawk	20 %	0 %	80 %
Madison	0 %	0 %	100 %
Onalaska	0 %	0 %	100 %
Spooner	6 %	12 %	82 %
Waukesha	0 %	0 %	100 %
Mailed/E-mailed/Faxed	6 %	4 %	90 %

Option C: Camping units are limited to a maximum 180 day stay.

	Yes	No	No Opinion
Total	3 %	6 %	91 %
Crivitz	0 %	0 %	100 %
Eau Claire	0 %	0 %	100 %
Grand Chute	0 %	0 %	100 %
Lake Tomahawk	0 %	10 %	90 %
Madison	0 %	0 %	100 %
Onalaska	0 %	0 %	100 %
Spooner	3 %	15 %	82 %
Waukesha	25 %	0 %	75 %
Mailed/E-mailed/Faxed	3 %	5 %	91 %

Option D: No limits on maximum stays.

	Yes	No	No Opinion
Total	41 %	31 %	29 %
Crivitz	0 %	50 %	50 %
Eau Claire	0 %	0 %	100 %
Grand Chute	60 %	0 %	40 %
Lake Tomahawk	20 %	50 %	30 %
Madison	0 %	100 %	0 %
Onalaska	0 %	25 %	75 %
Spooner	12 %	38 %	50 %
Waukesha	0 %	50 %	50 %
Mailed/E-mailed/Faxed	49 %	29 %	22 %

Comments on Recreational Areas?

Enforce low impact camping.

- Barb Schieffer, Florence, WI.

I would favor increased setbacks for camping units except for "tent only" campsites.

- Bruce Markgren, Rive Lake, WI.

Camping stays seem irrelevant. Another unit could easily replace the spot vacated. Parking lots should not be allowed in buffer areas.

- Cheryl Bursik, Amery, WI.

Don't care.

- Chuck Hill, Three Lakes, WI.

Campers on waterfront lots are difficult to manage, and cost zoning departments valuable staff time to deal with.

- Craig Conroy, Webster, WI.

The more protection of the public trust, the better.

- Daniel Hauptert, Catawba, WI.

Need a lot tighter look at these facilities.

- Diane Kraemer.

Should not be unlimited or even 180 days.

- Dorothy Pyle, Three Lakes, WI.

Camping areas are not intended as an individual "nontaxable" summer retreat. To give more people an opportunity to utilize prime camping sites, limit the stays or restrict long term use to the less desirable sites.

- Dr. Roger Heineck, Neillsville, WI.

As long as they are paying, which fees should include waste management, leave them alone. Give the owner the option of how long they can stay.

- Dwayne A. Potter, Chetek, WI.

How do you regulate/enforce?

- Eric Wellaner.

Motorized recreational vehicles, including motorboats, do not belong. If these motorized vehicles are permitted, the recreational area tends to a wreckational area.

- Ernest Martinson, Hayward, WI.

Recreation areas are generally the worst eyesore on our lakes. More buffering and less open view to lake should be promoted. Campers typically less interested in preserving lake quality.

- Fred Kruger, Spooner, WI.

All existing campgrounds should be required to comply - no grandfathering!

- *Gail Archambault, Wascott, WI.*

You will put almost all campgrounds in our area out of business with any option other option d.

- *Gerald Lund, Bloomer, WI.*

I don't understand why this is an issue if they have proper sanitary disposal facilities.

- *Gerard Drossort, Green Bay, WI.*

Do not allow hard surfacing, especially parking areas in setback area.

- *James C. Miller, St. Croix Falls, WI.*

Many older campgrounds are becoming (or are) permanent living sites.

- *Janet and Louis Frase, New Auburn, WI.*

No opinion.

- *Jean Keuer, Minocqua, WI.*

Wisconsin is a vacation land! Camping is an opportunity for less well-off folks to use of our lakes. This can be a year round experience. Limiting length of stay denies people the opportunity to make use of this access, diminishes the value of our heritage, and will promote the sale and private development of these lands.

- *Jeffrey A. Thornton, Waukesha, WI.*

7 days - Camping limited to one week stay at the same campsite. They then could move to another campsite and stay there for one week!

- *Jim Meyer, Sayner, WI.*

Should be 7 days max for public land - unlimited for private land if campers have holding tank or some other sanitation.

- *Ken Damro, Florence, WI.*

In a subdivision of 1 1/2 acres or less, limit to 30 day. 5 acres or more 180 days.

- *Kevin Buntin & Michelle Kalies, Mountain, WI.*

No more than 30 days - longer stays mean these units are seasonal residents like condo's and other permanent structures.

- *Kevin MacKinnon, Delevan, WI.*

Camping in state parks should have limited stays. Private campgrounds and private marinas could have no limit on maximum stays. Fees for camping on public campsites should be at least \$10 - \$15/per day/night.

- *L.T. Plouff, Green Bay, WI.*

Otherwise homeless people will take over.

- *Marion Obzarny, Webster, WI.*

The "spirit" of camping is being taken advantage of. "Camp" by Websters Dictionary means temporary.

- *Mark Benkowski, Mukwonago, WI.*

I don't know but changing RV location should not benefit those that arrive early. 7 day to move RV would make sense to me - but I do not own an RV.

- *Marshall W. Nelson, Edina, MN.*

More limits. Presently there is no control of campgrounds - they are "trailer parks" with permanent structures attached. No taxes are paid on these parks & the structures. We need limits & controls.

- *Mary Motis, Gordon, WI.*

Marinas and public access sites should meet the 75-foot OHWM setback.

- *Mary Platner, St. Germain, WI.*

I have more problems with marinas and public access sites than campgrounds. With problems with exotics I think we need less movement of boats between lakes.

- *Michael D. Moen, Wausau, WI.*

Camping limits should meet setback from OHWM. No additions such as decks or screen houses unless setbacks are met.
- *Michael Furtak, Iron River, WI.*

No camping units should be involved at public access sites near city lakes. There is enough activity there, with ingress and ?? Of boats alone. "Up north" can be a different situation.
- *Mrs. Ken Mueller, Oconomowoc, WI.*

???
- *Otto J. Roselt, Iron River, WI.*

Rules should be constructed or developed to conform with lake size and type. Perhaps a larger level I type lake can accommodate recreational usage much better than a level III (class c) lake. Trying to clump all rules into land useage on lakes for recreational purposes doesn't consider the fragile lake that can't handle all the "human" users.
- *Patricia J. Popple, Chippewa Falls, WI.*

On one hand we brag about tourism impact, on the other we don't want them to stay by the water? Why do thing people come? Resort limits are especially confusing. In the northwoods, we need more resorts, not less. They've all been subdivided and sold.
- *Patrick M. Kelly, New Auburn, WI.*

Proposed limits on camping units by the state of Wisconsin on non-stated owned land are insane and should not be considered.
- *Philip J. Hilgenberg, Green Bay, WI.*

Strict regulation to prevent campground takeover by condominium developers - re: current conflict at Spider Lake 1, 2, & 3.
- *Ray and Pat Andress, Chippewa Falls, WI.*

If more people were able to access camping areas w/ a shorter stay, it may remove some of the development pressure?
- *Rick Remington, Menominee, WI.*

A campground with 1/4 mile waterfront could have 26 15-foot VACs - a most unsightly situation for all others on the water.
- *Robert and Barbara Estabrook, Rhinealner, WI.*

They need to be true campgrounds and not trailer parks!
- *Sandy Anderson.*

Careful monitoring of exotic aquatics on boats coming into lakes, campgrounds area need to be monitored for erosion areas due to excess use.
- *Sarah R. Boles, Cable, WI.*

Should be able to have secondary structures i.e. decks/storage buildings.
- *Susan R. Wallin, Webb Lake, WI.*

I can live with 30 - 90 days. We need a limit to control permanent campers.
- *Will Fantle, Eau Claire, WI.*

General Comments

Some of the questions are not very good - explain what you mean! Some are leading us to what you want.

- Alan Heins, Shawano, WI.

Thanks for all you do to protect our beautiful Wisconsin.

- Bill Utley, Sturgeon Bay, WI.

This was one of the best documented rulemaking proposals I have seen. Thank you!

- Bruce Markgren, Rice Lake, WI.

Conservation development will not necessarily result in increased lake protection. Two times the density of development allowed in the lake is too high. Protection of back lots not a good trade off! I believe buffer areas should be included in the conservation area along with building setbacks. These are not conservation developments without conservation pay-off, such as required runoff control with specific standards.

- Cheryl Bursik, Amery, WI.

There needs to be an affirmation of all the counties' authority to enact regulations that provide greater protection to sensitive resources. NR 115 is, and will continue to be, a minimum standard. There is no doubt those who would prefer it to be a ceiling rather than a floor. There also should be an option of NO! on some lots. Some are simply "unbuildable." Setback reduction formulas can't cure everything.

- Craig Conroy, Webster, WI.

I'm a lakeshore landowner in northern Wisconsin. I support overall limited restriction on the shoreline development. However, I think the current restrictions are overcompensate for perhaps a past lack of control. I feel the proposals offered are very good since they tend to step back to a more reasonable shoreline protection. It is good to see that the state recognizes this need for review.

I'm in favor of setback averaging for new construction based on the dwellings (structures adjacent on either side of the property.) This accommodates nonconforming lots instead of having to build a structure (dwelling) built 75' OHWM regardless of your lot shape and size. Example pie shaped lots such as in my case present a definite problem trying to meet this code. Taking in to account wetlands etc. your options are very prohibitive.

- Dale Pohjola.

The more protection of the Public Trust the better.

- Daniel Hauptert, Catawba, WI.

Way too many people move to "the lakes" and abuse the lake and its surrounding shoreland (property) upland. The state and county laws and enforcement must keep all lake property owners and lake users in check, or future generations will have lower or weed-filled lakes "to enjoy." Hopefully all revision permits to upgrade nonconforming buildings will also require upgrades to the septic system.

- Fred Kruger, Spooner, WI.

We own a cabin on Catfish Lake in Vilas County. Our cabin, as well as our boathouse, was built around 1900. We feel very privileged to own these structures with such a long history. We consider our boathouse a charming asset to our property. For this reason we find provisions for such structures very restrictive. We would like to be able to maintain the integrity of our boathouse as any other structure. We would like to be able to repair or replace several pilings that are deteriorating and we find ordinances too restrictive. We strive to be good stewards of our land and shoreline and maintain our entire property. Please give consideration to allowing routine maintenance of such structures.

- Gerald Crowe, Dundee, IL.

As a general comment, regulations are needed to maintain and improve water quality. Much has been done in the past couple of decades. More is needed! However, regulations will also require a commitment of dollars and manpower to monitor and enforce compliance. We need to make this commitment to insure future generations of the privileges of enjoying our natural resources as we have had.

- Gerald Sundstrom, Durand, WI.

I read through most of the info on the website. I don't think the proposal is clear on already developed lots. I agree with all of the more restrictive proposals for new lots. On existing lots I don't support the more restrictive aspects. I have a 200x50 lot developed years ago on Shawano Lake. I meet the setback requirements but don't have buffer zones. I also do not meet impervious surface requirements, nor do many lots on Shawano Lake. I don't think current property owners should be punished for decisions made by developers years ago. I am concerned about water quality and the environment.

- Gerard Drossort, Green Bay, WI.

We live on Big Green Lake in Green Lake County. The options we voted on we feel, are the best for maintaining our lake.
- *Henry Hedberg, Markesan, WI.*

Conservation development - What happens behind the development (i.e. away from lake) does not allow for mitigation of what is built in front of it. Therefore, reducing the standards (as in size of lot) is a net loss for the lake.

Primary buffer - No encroachment into the primary buffer should be allowed.

Retaining walls are structures by any legal definition, they should NOT be allowed in the 75-foot setback area at all, under any circumstances.

Ag- No agricultural use in setback areas should be allowed, it cannot be effectively buffered, and does more harm to the water resource than can be mitigated.

- *James C. Miller, St. Croix Falls, WI.*

It is our opinion that new regulations could be a serious encroachment on individual property rights. This is a very uncomfortable thought because the past history of the government usurping the rights of the private citizen often is a forewarning of continued loss of freedom. In this case it is the freedom to own and maintain property.

If it hadn't been for a friend we would never have received notice of this survey. Why weren't we on the mailing as property owners affected by the survey? Any mail directed to our Sturgeon Bay address would have been forwarded here. It seems imperative that all property owners be contacted.

- *James M. Roberts, Sturgeon Bay, WI.*

This needs to be revised at a state level - revised state statute - instead of on a county by county basis.

- *Janet and Louis Frase, New Auburn, WI.*

The options continue a quantitative versus performance standard approach to shoreland regulation. It ignores the existence of the NR191 [county] lake classification process that seeks to develop waterbody-appropriate development controls. Instead of the "business-as-usual" approach, the code revisions should seek to encourage the development of more specific land management strategies that recognize the historic levels of development, the community desires, and the specific characteristics of the waterbody. In this regard, the committee would be well advised to review the seven criteria to be considered for lake classification and develop a more performance-based administrative code. At the least, mitigation options should be considered in the code.

- *Jeffrey A. Thornton, Waukesha, WI.*

The comments and answers on the attached sheets are made with the following background. I am property owner on land that has been in out family for 75 years. I have been on this property for over 60 years and love and protect our resources. Your comment sheet is very narrow in scope and vague as to reference on existing property or new development.

- *Jerry R. Schulz, West Allis, WI.*

For OHWM setback reductions, for step 1, to create a compliant building location, the OHWM setback may be averaged to the OHWM setbacks of the 2 adjacent principal structures. The 2 adjacent principal structures must be within 100 feet on both sides of the proposed building site and built at less than the required OHWM setback. The OHWM setback may not be reduced to less than the primary buffer. NO averaging with neighboring structures more than 100 feet away!! Conforming or nonconforming.

- *Kay Scharpf, Eagle River, WI.*

Thank you for your time and effort though these proposed rules are very lenient and really not acceptable in my opinion. It is a step in the right direction - should they get passed.

- *Ken Damro, Florence, WI.*

Section VII. Options for stepped approach.

Step 1. What if the adjacent buildings were illegally created? Should be legally established buildings. Also, this option is okay if it is understood that the primary buffer is described under Section IA is 50 feet.

Step 2. Sauk County is opposed to this step.

Step 3. Sauk County supports this proposal instead of Step 2 and it should be clearly understood that this provision requires a conditional use/special exception by a Board of Adjustment.

Section VIII. Retaining walls - The provisions should specify what type of materials may be used to construct retaining walls (tin, rock, timber?) and also place a limit on the height of said retaining walls.

Section X. What does "roughly proportional" and "magnitude of impacts" really mean. This language is often considered to be too subjective and could fall under the arbitrary and capricious category. This section needs better clarity and specificity.

These comments are being provided in written form in an effort to obtain a written response. The one factor that seems to be missing from some of these proposals is how exactly are these rules going to be enforced? Thank you for your time and consideration to the issues raised in this letter.

- *Lance Gurney, Baraboo.*

Who will enforce these regulations? The DNR seems not to care about enforcement or won't enforce. Where do we go to get compliance and enforcement?

- *Mary Motis, Gordon, WI.*

I have a camper in the river bend resort. Not on the shoreland, not in the floodplain.

- *Patricia Dayton Strand, Madison, WI.*

Minimum lot size we strongly favor the current law as is. Conservation easements - we oppose minimum lot size reductions in exchange for conservation easements. Setback reductions and nonconforming lot provisions - we favor steps 1 & 2, but very strongly oppose step 3. Filling, grading, etc. - we agree with the addition of the proposed "retaining wall" addition to current law. Mitigation - we are agree with the proposed new rule.

- *Robert and Barbara Estabrook, Rhinelander, WI.*

Live on Rock Lake.

- *Stan Smoniewski, Lake Mills, WI.*

The weakness of the whole proposal is county enforcement. Without inspection the whole program is modified by individual aggressiveness. Enforcement should somehow be stiffened.

- *Steve Clemens, Chippewa Falls, WI.*

If new NR 115 is implemented - who is the enforcement authority?

- *Susan R. Wallin, Webb Lake, WI.*

I would like to see less DNR restrictions. 420' shore. This piece of Door County property has been owned and summer occupancy since 1929. The high water storms of the late 1980s and 1990s destroyed our rock patio behind the OHWM. The rock stairs up the Bluff to the house (6 ft from Bluff's edge). We were allowed to protect that area with a pile of rock (not very easy to negotiate to get to water) - we were denied a dock permit for protection of strong wave action during HW storms. When HW returns (and it will) we stand to lose more bluff!!!! All we herd from DNR - danger of weed (milfoil and zebra mussel problems) - none of which are present because of heavy wave action on shore. This was sent to us via a real estate office not a mailing off any sort from DNR - Last time we went to an open meeting held in Sturgeon Bay for DNR discussion on right to build docks - environmentalist shouted us down can't believe this will be any different - as a long-time tax payer - I am outraged.

- *Warren Davis, Lake Bluff, IL.*